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W.P. No.13175 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.13175 of 2018
and
W.M.P.Nos.15495 & 15496 of 2018

Sangeetha Mary

... Petitioner

Vs.

1. Government of Tamilnadu,
Represented by its Secretary to Government,
Rural Development and Panchayat Raj Department,
St. Fort Geroqe, Chennai – 600 009.
2. The Director,
Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, 4th Floor,
Abdul Razzak Stree, Chennai – 600 015.
3. The District Collector,
Cuddalore District,
Gundu Salai Road, Cuddalore,
Tamil nadu – 607001.
4. The Block Development Officer,
Kurinjpadi Taluk,
Cuddalore District
Tamil Nadu – 607001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus directing the 4th respondent to



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consider Petitioner's representation dated 28.05.2018 by issuing orders appointing Petitioner to the post of Noon Meal Organiser in U11 Maruavi Panchayat Union Elementary School, Kurinjipadi Panchayat Unionl Kurinjipadi Taluk, Cuddalore District.

For Petitioner : Ms.Y.Kavitha for
M/s.Giridhar and Sai
For Respondents
R1 to R3 : Mr.M.Murali
Government Advocate
R4 : Mr.J.Ramesh

ORDER

The petitioner herein, participated in the selection process for the post of Noon Meal Organiser (NMO) in Panchayat Union School at Kurinjipadi Taluk pursuant to the recruitment process initiated by the 4th respondent. However, the application of the petitioner was not considered to the said post on the ground that the petitioner is not satisfying the mandatory requirement of residing within 3 km distance from the School in question. Accordingly, the recruitment process was concluded and some other candidate was appointed to the post of Noon Meal Organiser and has been working as such. Though an application has been submitted to implead the selected candidate as a party, the same is still in SR stage and not numbered.



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2. According to the learned counsel for the petitioner, the residence of the petitioner is not beyond 3 km from the School but the School is at distance of 2.3 km. In support of the contention, the petitioner also filed Google Map which shows the distance as 2.9 km.

3. However, according to the respondents and as per the certificate issued by the Assistant Engineer, Kurinjipadi, the distance between the residence of the petitioner and School in question is 3.341 km and a copy of the said certificate is also served on the learned counsel for the petitioner. On 03.04.2024 and the matter was adjourned, to enable the learned counsel for the petitioner to verify the genuineness or correctness of the said certificate. Today, when the matter is taken up for consideration, the learned counsel for the petitioner placed the Google Map before this Court showing the distance between the residence of the petitioner and the School as 2.9 km. Though from the Google Map which is placed before this Court by the learned counsel for the petitioner is evident, that the Google Map filed by the petitioner along with this writ petition is showing the distance as 2.3 km which is incorrect. Further, the Google Map placed before this Court by the



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learned counsel for the petitioner does not point to the residence of the petitioner, but only show the distance between School and Main Street.

Admittedly, the house of the petitioner is not located on the Main Road that leads to the School in question which is evident from the certificate placed before this Court by the learned counsel for the respondents.

4. As already noted above, the basis on which the petitioner filed the present writ petition by placing reliance on the Google Map showing the distance as 2.3 km is found to be incorrect, even according to the petitioner and also the fact that the third party is already appointed as early as 2018 and working as such, the selected candidate is not impleaded as a party in this writ petition, till date, this Court is not inclined to interfere with the selection process which was already concluded as early as in the year 2018 and accordingly, this writ petition is dismissed. The connected miscellaneous applications, if any, shall stand closed. No costs.

05.04.2024

Index : Yes/No
Speaking Order : Yes/No
dpa

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MUMMINENI SUDHEER KUMAR,J.

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